

1 OFFICE OF THE COUNTY COUNSEL  
2 County of San Joaquin  
3 DANIEL C. CEDERBORG, CSB #124260  
4 Deputy County Counsel  
5 JASON R. MORRISH, CSB #192686  
6 Deputy County Counsel  
7 Courthouse - Room 711  
8 222 East Weber Avenue  
9 Stockton, California 95202  
10 Telephone: (209) 468-2980

11  
12 Attorneys for Defendants,  
13 COUNTY OF SAN JOAQUIN, DEPUTY RICHARD  
14 DUNSING, and LT. MENDOZA  
15

16 **UNITED STATES DISTRICT COURT**  
17 **EASTERN DISTRICT OF CALIFORNIA**

18 ROBERT T. BROWN, individually and on  
19 behalf of Class of Persons similarly situated,

20 Plaintiff,

21 vs.

22 COUNTY OF SAN JOAQUIN, SHERIFF  
23 BAXTER DUNN, SHERIFF'S DEPARTMENT  
24 OF SAN JOAQUIN COUNTY and DOES I  
25 through X inclusive,

26 Defendants.

27 **CASE NO. CIV.S-04-2008 FCD PAN**

28 **STIPULATION AND ORDER  
CONTINUING PRE-TRIAL  
CONFERENCE**

29  
30 Plaintiff ROGER T. BROWN and Defendants COUNTY OF SAN JOAQUIN, DEPUTY  
31 RICHARD DUNSING, and LT. MENDOZA, by and through their respective counsel,  
32 respectfully submit this **STIPULATION AND ORDER CONTINUING PRE-TRIAL**  
33 **CONFERENCE** for consideration by the Court. This stipulation is submitted at the request of  
34 Plaintiff's Counsel, Bruce Nickerson, who will be out of the country from July 27, 2006 until  
35 August 14, 2006. Plaintiff has also recently made a settlement offer to the COUNTY OF SAN  
36 JOAQUIN that will be considered at the San Joaquin County Board of Supervisors' meeting on  
37

1 August 1, 2006. The parties hereby agree to request an order of the Court to a continuance of the  
2 Pre-Trial Conference in this matter currently scheduled for August 11, 2006 to a date convenient  
3 for the Court at least ten days after August 14, 2006. The parties will submit their joint Pre-trial  
4 Statement one week in advance of any date set for the Conference by the Court.

5 Respectfully submitted,

6  
7 OFFICE OF THE COUNTY COUNSEL  
8

9 Dated: July 17, 2006

10 By: /s/ Daniel C. Cederborg  
11 DANIEL C. CEDERBORG  
12 Deputy County Counsel

13 Attorneys for Defendants,  
14 COUNTY OF SAN JOAQUIN, DEPUTY  
15 RICHARD DUNSING and LT. MENDOZA

16 Dated: July 17, 2006

17 By: /s/ Bruce W. Nickerson  
18 BRUCE W. NICKERSON  
19 Attorney at Law

20 Attorney for Plaintiff,  
21 ROBERT T. BROWN

22 **ORDER OF THE COURT**

23 The Parties to this action having stipulated to a continuance of the Pre-trial Conference in  
24 this matter currently scheduled for August 11, 2006 and good cause appearing,

25 IT IS HEREBY ORDERED THAT:

26 The August 11, 2006 date for the Pre-trial Conference is vacated. The Pre-trial  
27 conference in this matter shall take place on September 1, 2006 at 1:30 p.m. The parties shall  
28 file their joint Pre-trial Statement by August 25, 2006.

29 Date: July 18, 2006

30 /s/ Frank C. Damrell Jr.  
31 Hon. Frank C. Damrell, Jr.  
32 United States District Judge